IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 13TH OCTOBER 2006 / 21ST ASWINA 1928

Bail Appl..No. 5859 of 2006

C.R.No.42 of 2006 of Balussery Excise Range
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PETITIONER/ACCUSED 2

SREEGESH, S/O.NARAYANAN, AGED 25 YEARS,
KAPPIKKUNNUMMEL, KINALUR AMSOM DESOM,
KOILANDY TALUK, KOZHIKODE.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS/STATE AND COMPLAINANT
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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR, EXCISE RANGE,
KOYILANDY, KOZHIKODE.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 5859 of 2006

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Dated this the 13th day of October, 2006

O R D E R

The petitioner is the second accused in C.R.No.42/2006 of Balussery Excise Range, for the offence punishable under Section 8(1) and 8(2) of the Abkari Act. The case was registered, as the first accused who was riding a motor bike with 20 litres of illicit arrack, was apprehended. On interrogation, he stated that the same was entrusted to him by the petitioner, the second accused. The petitioner thereafter, surrendered on 15/09/2006. He is in judicial custody. Hence, this bail application.

2. After hearing both sides and considering the submissions made by either side, I grant bail to the petitioner and release him from jail, on imposing the following conditions:-

i. The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the

Judicial Magistrate of the First Class, Perambra.

ii. The petitioner shall report before the Investigating Officer, once in a week, on every Wednesday, between 10 a.m and 11 a.m, for a period of two months, starting from 18/10/2006.

(J.M.JAMES)
Judge

ms